

UNITED STATES DISTRICT COURT

COUNTY OF

INDEX NO: CV 12 1865

FILED ON:

DISTRICT: Eastern/New York

CSX Transportation, Inc.

vs

Plaintiff(s)

Emjay Environment Recycling, LTD

Defendant(s)

STATE OF NEW YORK, COUNTY OF ALBANY, SS.:

**AFFIDAVIT OF SERVICE
BY THE SECRETARY OF STATE**

Stephen L. Collen, being duly sworn, deposes and says: deponent is over the age of eighteen (18) years; that on June 11, 2012, at 1:30pm, at the office of the Secretary of State of the State of New York in the City of Albany, New York, deponent served the annexed

Summons in a Civil Action and Amended Complaint

, on

Emjay Environment Recycling, LTD

Defendant in this action, by delivering to and leaving with Donna Christie, Authorized Agent, in the Office of the Secretary of State of the State of New York, personally at the Office of the Secretary of State of the State of New York, two (2) true copies thereof and that at the time of making such service, deponent paid said Secretary of State the statutory fee, if required. Service was made pursuant to Section 306 Business Corporation Law.

- Service was completed by mailing notice of such service and one (1) true copy thereof by Registered or
 1st Class Mail and Certified Mail, # _____, Return Receipt Requested on _____
to said defendant at _____

Papers so served were properly endorsed with the index number and date of filing.

Deponent further says that deponent knew the person so served as aforesaid to be the agent in the Office of the Secretary of State of the State of New York, duly authorized to accept such service on behalf of said defendant.

Description of the person served: Approx. Age: 46 years Approx. weight: 130 lbs Approx. Ht.: 5'5"

Sex: female Color of skin: white Color of hair: brown Other: _____

Sworn to before me on June 12, 2012

Marcy A. O'Hare

MARCY A. O'HARE
NOTARY PUBLIC, State of New York
No. 4865530, Qualified In Albany County
Term Expires July 14, 2014

Stephen L. Collen

Invoice-Work Order # 1203790